

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Engrossed House Bill 1360 be amended to read as follows:

- 1       Page 1, between the enacting clause and line 1, begin a new  
2       paragraph and insert:  
3       "SECTION 1. IC 8-1-1.1-4.1 IS AMENDED TO READ AS  
4       FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 4.1. (a) The consumer  
5       counselor may appear on behalf of ratepayers, consumers, and the  
6       public in:  
7       (1) hearings before the commission, the department of state  
8       revenue, or the Indiana department of transportation;  
9       (2) appeals from the orders of the commission, the department of  
10      state revenue, or the Indiana department of transportation; ~~and~~  
11      (3) suits and actions in a court that may involve rates for service,  
12      services, extensions, and contracts for service, valuations of  
13      utilities, applications of utilities for authority to issue securities,  
14      applications for mergers and sales, and in all other proceedings,  
15      including proceedings before federal agencies, and suits and  
16      actions in which the subject matter of the action affects the  
17      consumers of a utility, motor carrier, or railroad doing business in  
18      Indiana; **and**  
19      **(4) disputes between the public and utilities concerning**  
20      **vegetation management.**  
21      **For purposes of this subsection, the public includes one (1) or more**  
22      **individuals who may be party to a legal proceeding involving the**  
23      **office of utility consumer counselor, the commission, or utilities.**

1 (b) The counselor shall decide whether to appeal an order of the  
2 commission, the department of state revenue, or the Indiana department  
3 of transportation and may on the counselor's own motion initiate an  
4 appeal."

5 Renumber all SECTIONS consecutively.  
(Reference is to EHB 1360 as printed April 10, 2009.)

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Senator DELPH